Information Meeting
EMSA NEG/1/2013 – Stand-by Oil Spill Recovery Vessels

Invitation to Apply

19 February 2013, Zagreb

Santiago Encabo
Senior Project Officer
Pollution Preparedness and Response
Key Issues

1. Procurement Procedure

2. Geographical areas/“Lots”

3. Procurement Timetable

4. Submitting “Applications”
Procurement 2013: Negotiated Procedure

2 Step Approach:

Step 1 - “Invitation to Apply”

Step 2 – (Restricted) “Invitation to Tender”
Step 1: Invitation to Apply

Publication of Invitation to Apply in the OJEU on Jan 26th
(Open to any Interested Party)

Submission of Applications: Deadline March 13th

Evaluation of Applications as per Enclosure 1: Criteria

Determination of Pre-Selected Candidates
Step 2: Invitation to Tender

Invitation to Tender (restricted): Pre-Selected Candidates

Submission of Bids

Improvement to Bids: Best Quality/Price Ratio

Submission of Final Bids

Evaluation of Bids: Info provided in the Tender Specifications

Award of Contracts
Structure Procurement Procedure 2013

Replacement of two contracts that expire in 2013:

- Atlantic Area - to be split in two lots
  - Northern North Sea
  - Atlantic North

- Aegean Sea

New Area:

- Adriatic Sea
Lot 1: Northern North Sea
The Eastern coastline of the United Kingdom from Cape Wrath to Hull, the Shetland Islands and the Western Coast of Norway from Stavanger to Bergen

Lot 2: Atlantic North
The Western coastline of the United Kingdom from Cape Wrath to Lands’ End, the Hebrides Islands and the whole Island of Ireland

Lot 3: Aegean Sea
Aegean Sea (as defined by the International Hydrographical Organisation)

Lot 4: Adriatic Sea
Adriatic Sea (as defined by the International Hydrographical Organisation)

Possibility to apply for 1 or more lots
Lot 1: Northern North Sea

The Eastern coastline of the United Kingdom from Cape Wrath to Hull, the Shetland Islands and the Western Coast of Norway from Stavanger to Bergen

**Indicative capacity:**
1,500 m³

**Minimum capacity/vessel:**
700 m³

**Flashpoint**
below 60°C

**Budget:** € 3.9 m
  + Equipment transfer (partial set)
  + Purchase (2 additional booms)
Lot 1: Northern North Sea

Equipment solution

Set of equipment transfer from previous contractor

Purchase New Equipment

2x sweeping arm
Skimmer
Slick detection system
(to be maintained/overhauled)

2 x boom reel
Lot 2: Atlantic North

The Western coastline of the United Kingdom from Cape Wrath to Lands’ End, the Hebrides Islands and the whole Island of Ireland

**Indicative capacity:**
1,500 m³

**Minimum capacity/vessel:**
700 m³

**Budget:** €2.9 m

+ Equipment transfer (complete set)
Lot 2: Atlantic North

Equipment solution

Set of equipment transfer from previous contractor

2 x sweeping arm
2 x boom reel
Skimmer
Slick detection system (to be maintained/overhauled)
Lot 3: Aegean Sea

Aegean Sea (as defined by the International Hydrographical Organisation)

**Indicative capacity:**
1,500 m³

**Minimum capacity/vessel:**
700 m³

**Budget:** € 2.9 m
+ Equipment transfer (complete set)
Lot 3: Aegean Sea

Equipment solution

Set of equipment transfer from previous contractor

2 x sweeping arm
4 x boom reel
2 x skimmer, 1 x high-capacity multi-skimmer
Slick detection system
(to be maintained/overhauled)
Lot 4: Adriatic Sea

Adriatic Sea (as defined by the International Hydrographical Organisation)

Indicative capacity: 1,500 m³

Minimum capacity/vessel: 700 m³

Flashpoint below 60°C

Budget: €4.5 m
  + Equipment transfer
  + Purchase (High Capacity Skimmer)
Lot 4: Adriatic Sea

Equipment solution

Set of equipment transfer from previous contractor

Purchase New Equipment

2 x sweeping arm
2 x boom reel
Skimmer
Slick detection system (to be maintained/overhauled)

High-capacity skimmer
<table>
<thead>
<tr>
<th>Lot</th>
<th>Max. Budget (million)</th>
<th>Indicative Target Storage Capacity (m³)</th>
<th>Min. Vessel Capacity (m³)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1: Northern North Sea</td>
<td>€3.9m</td>
<td>1,500</td>
<td>700</td>
</tr>
<tr>
<td>Lot 2: Atlantic North</td>
<td>€2.9m</td>
<td>1,500</td>
<td>700</td>
</tr>
<tr>
<td>Lot 3: Aegean Sea</td>
<td>€2.9m</td>
<td>1,500</td>
<td>700</td>
</tr>
<tr>
<td>Lot 4: Adriatic Sea</td>
<td>€4.5m</td>
<td>1,500</td>
<td>700</td>
</tr>
</tbody>
</table>

**Contract Duration:** 4 years  
**Renewable:** once for additional 4 years (8 years in total)
<table>
<thead>
<tr>
<th>Lot</th>
<th>Maximum availability fee</th>
<th>Maximum equipment price (per set)</th>
<th>Maximum pre-fitting price (per vessel)</th>
<th>Maximum overall budget</th>
<th>Equipment modalities</th>
</tr>
</thead>
</table>
| Lot 1:  | Northern North Sea       | €2.6m                             | €0.8m                                 | €3.9m                  | Partial set delivered to the contractor  
Purchase of 2 x booms                                                                |
| Lot 2:  | Atlantic North           | €2.4m                             | €0.2m                                 | €2.9m                  | Complete set delivered to the contractor                                              |
| Lot 3:  | Aegean Sea               | €2.4m                             | €0.2m                                 | €2.9m                  | Complete set delivered to the contractor                                              |
| Lot 4:  | Adriatic Sea             | €2.6m                             | €1.4m                                 | €4.5m                  | Complete set delivered to the contractor  
Purchase of a high-capacity skimmer                                                  |
## PROCUREMENT PHASE 1: Invitation to Apply

<table>
<thead>
<tr>
<th>Event</th>
<th>Details</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>“Contract Notice”</strong> publication in OJEU</td>
<td>Documents available on <a href="http://www.emsa.europa.eu">www.emsa.europa.eu</a></td>
<td>26(^{th}) January</td>
</tr>
<tr>
<td><strong>“Application” Preparation</strong></td>
<td>Interested Parties prepare “light” documentation</td>
<td>February-March</td>
</tr>
<tr>
<td><strong>Information Meetings</strong></td>
<td>Procurement Procedure and Technical Elements</td>
<td>1(^{st}) – 19(^{th}) February</td>
</tr>
<tr>
<td></td>
<td>Oslo (Norway); Zagreb (Croatia)</td>
<td></td>
</tr>
<tr>
<td><strong>“Application” Deadline</strong></td>
<td>“light” documentation submission</td>
<td>13(^{th}) March</td>
</tr>
<tr>
<td><strong>“Application” Evaluation</strong></td>
<td>Identification of “Pre-selected Candidates” by EMSA</td>
<td>April</td>
</tr>
</tbody>
</table>
## PROCUREMENT PHASE 2: Invitation to Tender

<table>
<thead>
<tr>
<th>Activity</th>
<th>Details</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Invitation to Tender&quot;</td>
<td>&quot;Invitation to Tender&quot; sent &quot;Pre-selected Candidates&quot;</td>
<td>April</td>
</tr>
<tr>
<td>Clarification meetings</td>
<td>Clarification with candidates</td>
<td>April-May</td>
</tr>
<tr>
<td>Visit to EMSA stockpiles</td>
<td>Opportunity to review equipment for transfer (all lots)</td>
<td>May</td>
</tr>
<tr>
<td>Preparation of Tenders</td>
<td>Documentation preparation</td>
<td>April-May</td>
</tr>
<tr>
<td>&quot;Tender&quot; Deadline</td>
<td>&quot;Heavier&quot; documentation submission</td>
<td>End of May/ 1\textsuperscript{st} Week June</td>
</tr>
</tbody>
</table>
## PROCUREMENT PHASE 2: Negotiation

<table>
<thead>
<tr>
<th>Event</th>
<th>Details</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Negotiation Stage</td>
<td>Improvements to offers</td>
<td>June – July</td>
</tr>
<tr>
<td>On-site Meetings</td>
<td>Visits to vessels</td>
<td>First 3 weeks of July</td>
</tr>
<tr>
<td>“Final Tender” Deadline</td>
<td>Final offers</td>
<td>End August/1&lt;sup&gt;st&lt;/sup&gt; Week September</td>
</tr>
<tr>
<td>Final Tender Evaluation</td>
<td>Awarding of contracts</td>
<td>October – November</td>
</tr>
</tbody>
</table>
www.emsa.europa.eu ➔ “Working with us” ➔ “Procurement” ➔ “Calls for Tenders”
www.emsa.europa.eu ➔ EMSA/NEG/1/2013

Calls for Tenders

Requests for additional information regarding procurement procedures must be sent exclusively to the email indicated in the tender documentation.

Tender-related questions and answers are published in this page (pdf file above tender documentation zip file).

Responsibility for monitoring the Agency’s website for replies to ‘questions/answers’ and/or further information remains with potential tenderers.

<table>
<thead>
<tr>
<th>Description</th>
<th>Published</th>
<th>Deadline</th>
<th>Files</th>
<th>Updated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service contracts for standby oil spill recovery vessel(s)</td>
<td>28.01.2013</td>
<td>12.03.2013</td>
<td>EMSA-NEG-1-2013.pdf</td>
<td>28.01.2013</td>
</tr>
</tbody>
</table>

Data protection clause

Any personal data submitted in the framework of the procurement procedure and/or subsequently included in the Contract shall be processed pursuant to Regulation (EC) No 90/2002 on the protection of individuals with regard to the processing of personal data by the Community Institutions and bodies and on the free movement of such data. It shall be processed solely for the purposes of the performance, management and follow-up of the Procurement Procedure and/or subsequently of the Contract by the Data Controller without prejudice to possible transmission to the bodies charged with a monitoring or inspection task in community with Community law. The Data Subject shall have the right of access to his personal data and the right to rectify any such data that is inaccurate or incomplete. Should the Data Subject have any queries concerning the processing of his personal data, he shall address himself to the Data Controller. The Data Subject shall have right of recourse at any time to the European Data Protection Supervisor.
www.emsa.europa.eu

“Invitation to Apply”

EMSA/NEG/1/2013

Published: 26/1/2013
Deadline: 13/03/2013

Service contracts for standby oil spill response vessels

The Agency intends to provide additional resource capacity to one of the oil spill response networks of the Member States through competitive arrangements with commercial companies/ventures. Such companies/ventures can be drawn from any relevant industry including shipowners/operators and the spill response service industry.

The contracted vessels would undertake normal commercial activities and, at request, be transformed in short notice for non-commercial recovery services during a (potential) oil spill.

More details about the procurement procedure can be found in the Invitation to Apply and associated documents that can be downloaded on the website below.

Further information meetings open to any interested parties will be organized in February and March in the Member States where registration is not mandatory. Although it would be appreciated to receive an email (Negotiations@emsamail.org) indicating the participation in these meetings.

[Table with information]
Documents Included in Zip File

**Invitation to Apply** Cover letter – Deadline & Hard original + electronic copy

**Enclosure 1: Application Specifications** - Main requirements

**Check-List** - Review it before sending application

**Other Documents**
- Legal Entity Form
- Declaration of Honour
- Template for “Statement of Subcontracting/Joint Offer”
Preparing the Application

Point 5.1: Legal Form of Service Provider (company/consortium)

Individual Company

• Signed Cover Letter: Specify person heading project
• Signed document authorising person to submit application & sign contract (copy)

Grouping

• Signed Cover Letter: Specify person & company heading project
• Signed document authorising person & company to submit application & sign contract (copy)
• Template - “Statement of Subcontracting/Joint Offer”
Preparing the Application

Point 5.2: Legal Entity Form (1 per member of grouping)

• EACH company to complete “Legal Entity Form” (Original) together with “Attachments” (Copies):
  
  – Official Registration Document (Official Gazette, Company Register, etc.)
  
  – VAT Registration Document (if not included in the above-mentioned document)
Preparing the Application

Point 5.3: Exclusion Criteria (per member of grouping) (a) – (f)

(a), (b) or (e) Extract from judicial record OR Equivalent doc by authority showing requirements satisfied

(d) Certificate from competent authority of State concerned OR If no certificate issued, Sworn/Solemn Statement before judicial authority or notary etc.

(c), (f) Checked by EMSA or requests for further information

OR

• Declaration on Honour available on the Procurement Section on the EMSA Website

⇒ Grouping: evaluation per individual company
Preparing the Application

Point 5.4: Economic and Financial Capacity (per member of grouping)

Information for last 3 financial years (closed accounts)

• Balance sheet
• Statement of Overall Turnover
• P&L account

→ Evaluated according to International Rating Practice
Preparing the Application

Point 5.5: Technical Criteria Company/Consortium (Copies)

- **Document of Compliance (DoC)** for International Safety Management (ISM) Code
  - **Grouping**: at least 1 member must have a valid DOC

- Overview of company/consortium Port State Control record (**PSC inspections and detentions**) or annual Flag Surveys for last 3 years – 3 detentions will be ground for exclusion

- Where applicable, additional list of relevant services for last 5 years

→ **Grouping**: criteria evaluated as a group, not individually
Preparing the Application

Point 5.6: General Description: Proposed Arrangement

- **1st Proposal** indicating envisaged arrangement

**Must indicate:**

- Vessel or vessels: IMO number, main technical characteristics: Heating, pumping, storage capacity & speed
- Usual area of operation & economic activity
- Proposed location of any equipment stockpiles
- Initial mobilisation plan
Application Evaluation

Evaluation Result:

Application = "Acceptable" -> "Pre-selected Candidate"

"Not acceptable" -> "End of Participation"
Presenting an Application to EMSA

**REVIEW CHECKLIST BEFORE SENDING!**

- Two sealed envelopes (one inside the other)
- One submission per lot, i.e., different lot different envelope
- Submission of 1 original paper copy of the application + electronic copy to NEG12013@emsa.europa.eu
- Separation of documentation into **Parts A – E**
- Justification for non-inclusion of requested documentation
- Applications can be in any official language of the EU (preferably English)
- Point 5.6: General Description of Proposed Arrangement: Must include copy in English
Invitation to Apply: Cover Letter

Point 9: Request for Additional Information

- Email: NEG12013@emsa.europa.eu
- “Questions & Answers” published on EMSA website but not company name
- Deadline for submission of Questions latest 6th March 2013

Point 3: Application Deadline

✓ 13th March 2013
Thank You